

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAR 28 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

INDIGENOUS ENVIRONMENTAL
NETWORK; NORTH COAST RIVERS
ALLIANCE,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF
STATE; et al.,

Defendants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellants.

No. 18-36068

D.C. No. 4:17-cv-00029-BMM
District of Montana,
Great Falls

ORDER

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellees,

ROSEBUD SIOUX TRIBE; FORT
BELKNAP INDIAN COMMUNITY,

Intervenors-Pending,

v.

THOMAS A. SHANNON, Jr., in his official

No. 18-36069

D.C. No. 4:17-cv-00031-BMM

capacity; et al.,

Defendants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellants.

INDIGENOUS ENVIRONMENTAL
NETWORK; NORTH COAST RIVERS
ALLIANCE,

Plaintiffs-Appellants,

v.

UNITED STATES DEPARTMENT OF
STATE; et al.,

Defendants-Appellees,

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellees.

No. 19-35036

D.C. Nos. 4:17-cv-00029-BMM
4:17-cv-00031-BMM

NORTHERN PLAINS RESOURCE
COUNCIL; et al.,

Plaintiffs-Appellants,

ROSEBUD SIOUX TRIBE; FORT

No. 19-35064

D.C. Nos. 4:17-cv-00029-BMM
4:17-cv-00031-BMM

BELKNAP INDIAN COMMUNITY,

Intervenors-Pending,

v.

THOMAS A. SHANNON, Jr., in his official
capacity; et al.,

Defendants-Appellees,

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

Intervenor-Defendants-
Appellees.

INDIGENOUS ENVIRONMENTAL
NETWORK; et al.,

Plaintiffs-Appellees,

ROSEBUD SIOUX TRIBE; FORT
BELKNAP INDIAN COMMUNITY,

Intervenors-Pending,

v.

UNITED STATES DEPARTMENT OF
STATE; et al.,

Defendants-Appellants,

and

TRANSCANADA KEYSTONE PIPELINE,
LP; TRANSCANADA CORPORATION,

No. 19-35099

D.C. Nos. 4:17-cv-00029-BMM
4:17-cv-00031-BMM

Intervenor-Defendants.

Before: SILVERMAN and TALLMAN, Circuit Judges.

The unopposed motion for an extension of time to file opening briefs (No. 18-36069 Docket Entry No. 41) is granted. The briefing schedule for these consolidated cross-appeals shall proceed as follows:

The first cross-appeal (opening) briefs of the appellants in consolidated appeal Nos. 18-36068 and 18-36069, TransCanada Keystone Pipeline, LP and TransCanada Corporation (“TransCanada”), and the appellants in appeal No. 19-35099, U.S. Department of State, et al. (“federal government appellants”) shall be due May 13, 2019; the second (answering and opening) cross-appeal briefs of the appellants in consolidated appeal Nos. 19-35036 and 19-35064, Indigenous Environmental Network, et al. (“IEN”) and the Northern Plains Resource Council, et. al. (“NPRC”) shall be due June 12, 2019; the third cross-appeal (reply and answering) briefs of TransCanada and the federal government appellants shall be due July 12, 2019; the optional cross-appeal reply brief by IEN and NPRC is due within 21 days after service of the last of the third cross-appeal briefs.

Applicants Rosebud Sioux Tribe and Fort Belknap Indian Community’s motion to intervene will be addressed by separate order.